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OFFICIAL**GROUP 1600 PATENT**
Attorney Docket No. 7372/70911**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: NISHIKAWA et al.

Supervisory Examiner: Remy Yucel

Application No. 09/806,197

Group: 1600

Filed: March 27, 2001

May 28, 2003

For: PROMOTERS AND PLANT
TERMINATORS**REQUEST TO PTO TO COMPLETE FILE BASED ON JULY 30, 2001 FILING
AND FOR EXPLANATION REGARDING SUBSTITUTE
SEQUENCE LISTING, STATEMENT ETC. NOW SOUGHT**Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants counsel requests that the PTO file be re-checked and the whereabouts of the July 20, 2001 submission responding to the PTO's Notification of Missing Requirements under 35 U.S.C. 371 in the United States ascertained. The submission was timely filed and included Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825, an Index, Sequence Listing and a disk. This is fully evidenced by the attached post card.

Applicants counsel complies with Rule 133 and makes of record the oral request of May 27, 2003 to the above-mentioned Examiner regarding the whereabouts of the July 30, 2001 filing. It was pointed out that Examiner Loeb examined this application on the merits, including a comparison of sequences, so it is indeed puzzling for Applicants' to receive a naked request for substitute submissions under 37 C.F.R. §§1.821 -1.825.

The favor of a prompt reply via facsimile to the undersigned is respectfully requested.

This paper and the one-page attachment were filed by facsimile to 703-872-9306

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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Date: July 20, 2001
Atty Docket: 7372/70911

Due Date: July 23, 2001
Applicant(s): NISHIKAWA et al
Appl No.: 09/806,197
Filed: March 27, 2001
For: PLANT PROMOTERS AND PLANT TERMINATORS



Paper(s) filed:

- 1) Transmittal (in duplicate)
- 2) Copy of Notification of Missing Requirements Under 37 C.F.R. 371...
- 3) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825
- 4) Index
- 5) Sequence Listing (Pages 1-11)
- 6) PC/MS-DOS PATENTIN 2.1 (Disk)

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